

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States District Court
Southern District of Texas
FILED

DEC - 4 2015

David J. Bradley, Clerk

United States of America
Gerardo ALANIZ
YOB: 1970
Citizenship: United States

Case No. M-15-1772-M-02

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 20, 2015 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

8 U.S.C. § 1324 (a)(1)(A)(iii)

Offense Description

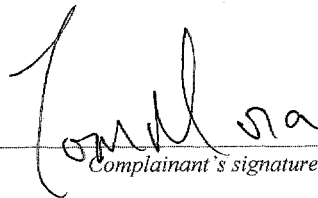
Knowing or in reckless disregard of the fact that Sara Zacarias-Chacaj, who was an alien, has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

OK to file. TAT


Complainant's signature

Tomas Mora, HSI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 12/3/2015

4:07pm


Judge's signature

City and state: McAllen, Texas

United States Magistrate Judge Peter Ormsby
Printed name and title

ATTACHMENT A

On September 22, 2015, Homeland Security Investigations, McAllen, Texas (HSI McAllen), received information from the New Bedford, Massachusetts Police Department (NBPD) that Sara ZACARIAS-Chacaj, a citizen of Guatemala with no legal status to be in the United States, had been smuggled into the United States on September 14, 2015. The information stated alien smugglers were threatening to rape and kill ZACARIAS-Chacaj if her family did not send them additional money. The report details names and phone numbers of smugglers who had already collected and smugglers who were attempting to collect more smuggling fees.

Pursuant to an investigation conducted on September 22, 2015, ZACARIAS-Chacaj was encountered in Donna, Texas and three subjects, Roberto CHAVEZ-Barrios, Florencia SANTIAGO-Antonio and Victor Francisco GAMBOA-Angeles were subsequently arrested and charged with criminal violations of alien smuggling related to the smuggling of ZACARIAS-Chacaj.

Subsequent investigation led to the identification and arrest of Jesus Lazaro PEREZ on November 5, 2015 for his part in the smuggling of ZACARIAS-Chacaj. HSI McAllen identified PEREZ as having transported ZACARIAS-Chacaj from an HEB in Alamo, Texas to a stash location in McAllen, Texas.

In a post-Miranda interview, PEREZ stated that a subject named Gerardo ALANIZ asked him to transport a female undocumented alien (UDA), who agents identified as ZACARIAS-Chacaj, from the HEB in Alamo, Texas to a stash location in McAllen, Texas. PEREZ further stated that he withdrew \$1,500 from an HEB Business Center at the direction of ALANIZ the day after he transported ZACARIAS-Chacaj. HSI McAllen identified this money transaction as being money sent from ZACARIAS-Chacaj's family as demanded by alien smugglers described in the initial information provided by the NBPD. PEREZ positively identified ALANIZ on a 6 person photo line-up.

On November 13, 2015, Zacarias-Chacaj identified ALANIZ on a 6 person photo line-up as looking like the subject she encountered while staying at the stash location in McAllen, Texas. Zacarias-Chacaj previously stated

this subject (hereafter referred to as ALANIZ) entered the stash location and told her that he would be the one transporting her the following day and that he didn't charge her very much in smuggling fees because she was traveling alone. Zacarias-Chacaj stated that ALANIZ was in communication with her family concerning the payment of her smuggling fees and that ALANIZ provided her food while in this stash location.